

JUDGE SWEET

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED FEB 29 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

: INDICTMENT

-v.-

: 08 Cr.

LINO EVANGELISTA,
a/k/a "Pedro de Jesus-Rivera," and
a/k/a "Chiclana Hiraldo,"

08 CRIM 172

Defendant.

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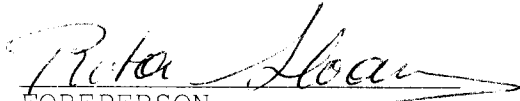
COUNT ONE

The Grand Jury charges:

From at least on or about April 10, 2003, up to and including on or about November 9, 2007, in the Southern District of New York and elsewhere, LINO EVANGELISTA, a/k/a "Pedro De Jesus-Rivera," a/k/a "Chiclana Hiraldo," the defendant, being an alien, unlawfully, willfully, and knowingly, did enter and was found in the United States, after having been removed from the United States subsequent to a conviction for the commission of an aggravated felony, to wit, a conviction on or about November 28, 1995, in New York Supreme Court, Bronx County, of Attempted Criminal Sale of a Controlled Substance in the Third Degree, in violation of New York Penal Law 220.39, a Class C Felony, without having obtained the express consent of the Attorney General of

the United States or his successor, the Secretary for the Department of Homeland Security, to reapply for admission.

(Title 8, United States Code, Sections 1326(a) & (b)(2).)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

LINO EVANGELISTA,
a/k/a "Pedro de Jesus-Rivera,"
a/k/a "Chiclana Hiraldo,"

Defendant.

INDICTMENT

08 Cr.

(8 U.S.C. §§ 1326(a) & (b) (2))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Rita Sloan
Foreperson.

2/29/08 Filed indictment case assigned
to Judge Sweet. & map judge lat